

WILMER CUTLER PICKERING  
HALE AND DORR LLP

SONAL N. MEHTA (SBN 222086)  
Sonal.Mehta@wilmerhale.com  
2600 El Camino Real, Suite 400  
Palo Alto, California 94306  
Telephone: (650) 858-6000

DAVID Z. GRINGER (*pro hac vice*)  
David.Gringer@wilmerhale.com  
ROSS E. FIRSENBAUM (*pro hac vice*)  
Ross.Firsenbaum@wilmerhale.com  
RYAN CHABOT (*pro hac vice*)  
Ryan.Chabot@wilmerhale.com  
PAUL VANDERSLICE (*pro hac vice*)  
Paul.Vanderslice@wilmerhale.com  
7 World Trade Center  
250 Greenwich Street  
New York, New York 10007  
Telephone: (212) 230-8800

*Attorneys for Defendant Meta Platforms, Inc.*

ARI HOLTZBLATT (*pro hac vice*)  
Ari.Holtzblatt@wilmerhale.com  
MOLLY M. JENNINGS (*pro hac vice*)  
Molly.Jennings@wilmerhale.com  
2100 Pennsylvania Avenue NW  
Washington, DC 20037  
Telephone: (202) 663-6000

MICHAELA P. SEWALL (*pro hac vice*)  
Michaela.Sewall@wilmerhale.com  
60 State Street  
Boston, Massachusetts 02109  
Telephone: (617) 526-6000

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

MAXIMILIAN KLEIN, et al., on behalf of  
themselves and all others similarly situated,

Plaintiffs,

v.

META PLATFORMS, INC., a Delaware  
Corporation,

Defendant.

Case No. 3:20-cv-08570-JD

**META PLATFORMS, INC.'S  
ADMINISTRATIVE MOTION TO  
CONSIDER WHETHER ANOTHER  
PARTY'S MATERIAL SHOULD BE  
SEALED**

Judge: Hon. James Donato

**STANDING ORDER PARAGRAPH 31 NOTICE**

The parties have agreed to use the approach outlined in Paragraph 31 of the Court's Standing Order for Civil Cases for the rounds of briefing associated with User Plaintiffs' and Advertiser Plaintiffs' motions for class certification, and any related *Daubert* briefing, including Defendant Meta Platforms, Inc.'s Motion to Exclude the Testimony of Nicholas Economides. Meta hereby notifies the Court that the parties will file a combined Administrative Motion to Seal when briefing on the class certification and related *Daubert* motions is complete. That combined Administrative Motion to Seal will address all relevant documents submitted in connection with this briefing. Meta will work in good faith to minimize the amount of material sought to be sealed in that motion in accordance with the applicable standard and this Court's prior guidance. *See* Dkt. 344.

**META PLATFORMS' ADMINISTRATIVE MOTION TO FILE UNDER SEAL**

Pursuant to Civil Local Rules 7-11 and 79-5(f), Defendant Meta Platforms, Inc. respectfully files this Administrative Motion To Consider Whether Another Party's Material Should Be Sealed in connection with its Motion to Exclude the Testimony of Nicholas Economides. Materials and documents may be provisionally filed under seal pursuant to Civil Local Rule 79-5(f) when the document, or portions thereof, "has been designated as confidential by another party or non-party." L.R. 79-5(f).

Meta has lodged under seal the Report and Reply Report of Nicholas Economides, which User Plaintiffs have designated Highly Confidential under the Stipulated Protective Order. Dkt. 314. Meta has also lodged under seal excerpts from the deposition of Nicholas Economides, which are currently provisionally designated Highly Confidential under the Stipulated Protective Order. Dkt. 314. Meta has also lodged under seal portions of its Motion to Exclude Testimony of Nicholas Economides that reference these materials.

Meta notes that the Economides reports and deposition transcript also contain potentially sealable information from other parties, including Meta and the following non-parties: Alphabet, Inc.; Amazon.com, Inc.; Apple Inc.; Centercode, Inc.; Embee Mobile, Inc.; LinkedIn Corporation;

Luth Research LLC; Microsoft Corporation; Nextdoor Holdings, Inc.; Pinterest, Inc.; Reddit, Inc.; Sgrouples, Inc.; Snap, Inc.; TikTok, Inc.; Viant Technology Inc.; and X Corp. (f/k/a Twitter, Inc.). Meta is providing these non-parties with notice of this Administrative Motion, and anticipates that all parties will address appropriately tailored sealing requests in the combined motion to seal submitted at the end of briefing pursuant to Paragraph 31 of this Court's Standing Order for Civil Cases.

Accordingly, Meta has lodged under seal the following materials referencing other parties' information:

Document	Portions to Be Lodged Under Seal	Designating Party
Meta's Motion to Exclude Testimony of Nicholas Economides	Portions highlighted in yellow	User Plaintiffs
Ex. 1 to the Decl. of David Z. Gringer in Support of Meta's Motion to Exclude Testimony of Nicholas Economides ("Economides Report")	In its entirety	User Plaintiffs
Ex. 2 to the Decl. of David Z. Gringer in Support of Meta's Motion to Exclude Testimony of Nicholas Economides ("Economides Reply Report")	In its entirety	User Plaintiffs
Ex. 3 to the Decl. of David Z. Gringer in Support of Meta's Motion to Exclude Testimony of Nicholas Economides ("Economides Deposition Excerpts")	In its entirety	User Plaintiffs

As noted, upon the conclusion of briefing on class certification motions and related *Daubert* motions, the parties will submit a combined Administrative Motion to Seal that will contain additional detail addressing each of the above documents and any additional documents containing Meta's, plaintiffs', and relevant non-parties' confidential information submitted in connection with the briefing on class certification motions and related *Daubert* motions.

1 Dated: September 15, 2023

Respectfully submitted,

2 By: /s/ Molly M. Jennings

3 SONAL N. MEHTA (SBN 222086)  
4 Sonal.Mehta@wilmerhale.com  
5 WILMER CUTLER PICKERING HALE  
6 AND DORR LLP  
7 2600 El Camino Real, Suite 400  
8 Palo Alto, California 94306  
9 Telephone: (650) 858-6000

10 DAVID Z. GRINGER (*pro hac vice*)  
11 David.Gringer@wilmerhale.com  
12 ROSS E. FIRSENBAUM (*pro hac vice*)  
13 Ross.Firsenbaum@wilmerhale.com  
14 RYAN CHABOT (*pro hac vice*)  
15 Ryan.Chabot@wilmerhale.com  
16 PAUL VANDERSLICE (*pro hac vice*)  
17 Paul.Vanderslice@wilmerhale.com  
18 WILMER CUTLER PICKERING HALE  
19 AND DORR LLP  
20 7 World Trade Center  
21 250 Greenwich Street  
22 New York, New York 10007  
23 Telephone: (212) 230-8800

24 ARI HOLTZBLATT (*pro hac vice*)  
25 Ari.Holtzblatt@wilmerhale.com  
26 MOLLY M. JENNINGS (*pro hac vice*)  
27 Molly.Jennings@wilmerhale.com  
28 WILMER CUTLER PICKERING HALE  
AND DORR LLP  
2100 Pennsylvania Avenue NW  
Washington, DC 20037  
Telephone: (202) 663-6000

MICHAELA P. SEWALL (*pro hac vice*)  
Michaela.Sewall@wilmerhale.com  
WILMER CUTLER PICKERING HALE  
AND DORR LLP  
60 State Street  
Boston, Massachusetts 02109  
Telephone: (617) 526-6000

*Attorneys for Defendant Meta Platforms, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 15th day of September, 2023, I caused the foregoing document to be transmitted via electronic mail.

/s/ Molly M. Jennings

Molly M. Jennings